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7 VASQUEZ BOULEVARD/INTERSTATE-70 PUBLIC MEETING

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June 19, 2003

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14 Held at Swansea Recreation Center,

15 2650 East 49th Avenue, Denver, Colorado

16 80216-2946, at 4:45 p.m., before

17 Diane K. Scholl, Registered Professional

18 Reporter and Notary Public within Colorado.

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PUBLIC
DOCUMENT

1 WHEREUPON, the following proceedings
2 were taken:

3 MS. KELLEN: Welcome. I think it's
4 time to get the show on the road here tonight.

5 First off, I want to thank everyone
6 for coming again to the VB/I-70 public comment
7 meeting. That's the Vasquez Boulevard/I-70,
8 Interstate 70, Superfund site.

9 Valerie's going to make a short
10 announcement in Spanish, in case we have any
11 Spanish speakers.

12 (Announcement in Spanish.)

13 MS. KELLEN: And, for those of you
14 who don't speak Spanish, she basically pointed
15 out the fact that we do have headsets available
16 for Spanish speakers for simultaneous
17 translation, so that they can fully understand
18 what's going on at the meeting. Thank you.

19 Well, here we are again. It's been
20 a year. I'm seeing some familiar faces out
21 here, and some new faces, and I'm very glad
22 you're able to take time out of your schedules
23 to come and talk with us tonight, because
24 tonight's meeting is about all of you and your
25 thoughts on this whole process.

1 Before we get started, I'm going to
2 introduce just a few people in the audience, so
3 you know who some of the people are who have
4 been working on this process throughout the
5 years, so if you have questions during the break
6 and you want to grab one of them, you'll know
7 who to grab.

8 I'm going to start off with the EPA
9 folks. And is everyone hearing me all right?
10 Great.

11 First off, we have Victor
12 Ketellapper, whose name I'll mispronounce every
13 time I say it. He's the new project manager for
14 the Superfund site.

15 We also have two community
16 involvement specialists working here tonight,
17 Pat Courtney back here, and Jennifer Chargo.
18 Most of you have probably come across them on
19 the way in, since they've been working hard
20 already. They did a lot of the process of
21 setting this up.

22 We also have, from EPA, Wendy
23 O'Brien, who's a toxicologist, so if you have
24 any of those real hard scientific questions,
25 talk to Wendy.

1 And, lastly, from EPA, we have Ken
2 Cotton, who is in the Environmental Justice
3 group, pretty new to the agency, and he works on
4 Superfund and landfill issues.

5 We also have representatives from
6 the State of Colorado. Barbara O'Grady, who's
7 the project manager, standing in the back. I
8 think, as of right now, she's the only one I
9 have now, and I've just -- whoops. I'm still
10 here? I thought maybe I was losing my voice
11 already. I am. Technical difficulties already.

12 Okay. I'll go on. We have Gene
13 Hook from the City and County of Denver. He's
14 with the Denver Department of Environmental
15 Health, and he works on lead and Superfund
16 issues, so if you have questions relating to
17 that, he's the man.

18 We also have, and are very fortunate
19 to have, some representatives from the community
20 group who has worked -- who have worked on
21 issues related to this site for a long, long
22 time. They put a lot of time and effort into
23 this process.

24 And I only see two here so far. We
25 have Anthony Thomas, and I know Lorraine is

1 here, but I'm not seeing her. Lorraine Granado.

2 MS. GRANADO: I'm here.

3 MS. KELLEN: She's just coming in
4 the door.

5 MS. GRANADO: So what happened?

6 MS. KELLEN: I'm just introducing
7 you, Lorraine.

8 MS. GRANADO: Hello.

9 MS. KELLEN: And if there's anyone
10 else from CEASE here, please let me know. I'm
11 not seeing anyone right now.

12 MR. WEAVER: I'm from Cole. Jim
13 Weaver.

14 MS. KELLEN: Jim Weaver. Thank you.

15 And, lastly, we have a
16 representative from Diana DeGette's office,
17 Jessica Sewall, here in the front.

18 So, with that out of the way, let me
19 talk a little bit about why we're here.

20 We are here to take public comments,
21 the official comments for the record, from you
22 about what you think about EPA's proposed plan
23 and the preferred alternative for the clean-up
24 of the Vasquez Boulevard/Interstate 70 Superfund
25 site.

1 There are quite a few ways that you
2 can comment. You can sign up on the sign-up
3 sheet over here and speak tonight, and your
4 comments will go on the record, and will be
5 responded to.

6 There are also other ways to
7 comment, if you're not comfortable standing up
8 or you don't want to stand up and talk. There
9 are comment cards on the table over there. If
10 anyone is interested in getting a comment card,
11 and you want it right now, you can raise your
12 hand, and we'll pass them out to you.

13 If you don't want to raise your
14 hand, you can grab one over at the side whenever
15 you like. Send those comments -- either leave
16 them here tonight, and we'll take them in, or
17 you can mail them to us, which gets to another
18 way that you can comment.

19 You can send comments in to EPA via
20 mail, and the address is on the proposed plan,
21 and I believe we have copies of that over there.

22 A final way, a new way that I've
23 learned about, you can now e-mail your comments
24 to EPA. We are really finally getting into the
25 modern age. It's taken us a while, but we're

1 getting there. And the address is
2 vbi70@epa.gov. It's kind of straightforward,
3 but it's also on the proposed plan, so -- and,
4 lastly, there will be another public meeting on
5 Saturday morning, from 10 to 12, at Harrington
6 Elementary, and so that will be another
7 opportunity to come out and give us your
8 comments.

9 So there's lots of ways to comment.
10 We really want to hear from you, so please take
11 advantage of one of these methods and let us
12 know what you think.

13 Okay. Essentially, I'll give you
14 just a snippet on how the process works for
15 those of you who may be new.

16 You submit your comments. EPA takes
17 them within a comment period. And, in the
18 process of writing its decision, which is called
19 a record of decision, it will make a response to
20 all of your comments. So you won't be receiving
21 a response to your comments here tonight, but
22 you will receive a response in the record of
23 decision, what we like to call the ROD.

24 So sometimes we tend to throw out
25 these terms, and we take everything we have and

1 we make it into a shorter term, so if we start
2 to do that, please just raise your hand, yell at
3 us, get our attention, we'll explain, because
4 the idea here tonight is to educate and give you
5 the information you need, and working in this
6 field, we end up getting lots of -- lots of
7 acronyms and extraneous information we throw
8 out.

9 So, essentially, what we're going to
10 go do here tonight is, in just a few minutes,
11 I'm going to go over some ground rules. We're
12 going to go through some of the things I've
13 talked about, in addition to other ways. We're
14 just going to go through the meeting tonight.

15 MS. GRANADO: Karen?

16 MS. KELLEN: Yes.

17 MS. GRANADO: Would you tell folks
18 when the deadline is, please.

19 MS. KELLEN: Yes, I do have that in
20 here somewhere.

21 MS. GRANADO: The 26th.

22 MS. KELLEN: The 26th of June is the
23 close of the public comment period, so all
24 comments have to be in by that date.

25 At the last working group meeting,

1 some of the community members asked to know what
2 Environmental Justice has done in this
3 community, and as I am one of the Environmental
4 Justice employees working in this neighborhood,
5 I agreed to give a very short snippet, five
6 minutes, on EJ in this neighborhood. There's a
7 handout at the door, as well, with information.

8 I'll make it very quick, and if I
9 run over five minutes, I'll try to cut myself
10 off, since I'm facilitating, too.

11 After I speak, Victor Ketellapper
12 will come up here, and he will talk about the
13 remedy.

14 From that, we'll take a short break,
15 ten minutes, so you can get some refreshments,
16 because we do have refreshments here, chat among
17 yourselves, or grab any of the government people
18 you want if you have questions.

19 If there's some questions that arise
20 during Victor's talk or my talk, feel free to
21 grab us during the break or after the meeting to
22 ask them so that we can make sure things get
23 clarified.

24 When we come back from the break,
25 we'll open up for public comment, and that's

1 when you have the opportunity to tell us what
2 you think.

3 So the ground rules, let me go
4 through them quickly. Let me put them so I can
5 see them, and that's getting harder and harder.
6 My arms are getting shorter and shorter as time
7 goes by.

8 Sign-up sheets. There is a sign-up
9 sheet by the door, which we would like you to
10 put your name on if you want to stand up and
11 make comments here tonight. That way we'll know
12 who we can call on as the time comes, and we can
13 make sure we fit all of you in.

14 We have a court reporter here
15 tonight, the lady sitting over here, and, as I
16 keep trying to remind myself, we need to speak
17 slowly and clearly, so that she can get
18 everything down.

19 What I would like is, when you get
20 up to the microphone, if you could clearly state
21 your name and spell it, so that she can get the
22 spelling right in the record, as well, because,
23 as we know, there's nothing worse than having
24 your name misspelled in an official record.

25 The comment period. The comment

1 period tonight will be open until 6:30. We'll
2 have another one on Saturday. We ask that you
3 try to limit your comments to five or ten
4 minutes, but we're really going to try to give
5 you as much time as you need. What -- our only
6 consideration here is looking at the size of the
7 sign-up list and how much time we have left to
8 make sure that everyone gets a chance to
9 comment.

10 If you don't get to say everything
11 you want, or you forget something, or you just
12 want to add something later on, you have the
13 other opportunities to comment, as well. The
14 fact that you stand up here and talk tonight
15 doesn't mean you're barred from sending in
16 comments, as well, so please avail yourself of
17 whatever methods or however many times you want
18 to comment. It's not like voting. You can vote
19 early and vote often in this -- in this forum.

20 I mentioned before that the response
21 to comments will not come tonight, but will come
22 later on in the record of decision, and I think
23 you already realize that we have simultaneous
24 translations tonight.

25 For those of you who are Spanish

1 speakers, if you want to make comments tonight,
2 we will bring a translator up to the microphone
3 to translate your comments, so the whole group
4 can hear them, and so that the court reporter
5 can get them down when you speak, so you have
6 the ability to make a comment here tonight, as
7 well.

8 Okay. Those are the ground rules.
9 Pretty easy, straightforward. It's just to help
10 us, to guide us through this.

11 Okay. Well, I'm going to do a
12 quickie on Environmental Justice. It's not the
13 purpose of the meeting tonight. Tonight, we're
14 here to talk about the Superfund process, so I'm
15 going to just briefly hit on a couple of points
16 and then move right on.

17 Please feel free to pick up the
18 document that I wrote. I wrote it yesterday and
19 today, so it's not as perfect as it could be,
20 and it does a summary of -- a more detailed
21 summary of the more recent events that
22 Environmental Justice had tried to do in these
23 neighborhoods.

24 Environmental Justice is -- let me
25 give you a basic idea. It's not in my notes,

1 actually, but I realize that some people might
2 not know what Environmental Justice is.

3 Environmental Justice, or EJ, is a
4 program that looks at low income and minority
5 communities, because, historically, they have
6 been disproportionately impacted by pollution.

7 Basically, what that means is that
8 there's more pollution in low income and
9 minority communities, and EPA needs to look
10 harder -- EPA, all agencies need to look more
11 closely at these communities to try to do more
12 to help alleviate some of those impacts, and so
13 we have been working very hard with this
14 community up here to try to do more.

15 For EPA, Environmental Justice is
16 not something that it's just done in the
17 Environmental Justice group. We try to
18 integrate it throughout EPA, in the air program,
19 in the water program, in the waste program, and
20 in the Superfund program, as we've been trying
21 to do here.

22 I'm going to touch on a couple of
23 efforts that we've made. One big area that EPA
24 emphasizes in EJ is the grants program, and
25 since '95, EPA has awarded approximately

1 \$920,000 in grants to groups in these
2 neighborhoods. These are community groups who
3 are working to improve the quality of life in
4 these neighborhoods.

5 In addition, the Environmental
6 Justice Program in this region, Region VIII of
7 EPA, has designated what's called the Northeast
8 Denver Environmental Initiative, and that's what
9 I've been working on for the last 18 months,
10 pretty much all of my time, with the idea being
11 that if we can focus more of our resources in
12 terms of manpower, woman power in this case,
13 which in my view is sometimes even better, but
14 we won't go there -- we can focus more of our
15 person power on the issues in this community,
16 maybe we can get more done, and maybe we can
17 make a difference to help the people living in
18 these communities.

19 As part of that process, we've
20 increased our enforcement efforts up here. We
21 have inspected three times as many facilities in
22 northeast Denver that are permitted with
23 environmental permits than we have anywhere else
24 in the state -- or in the six-state region of
25 EPA, and that's compared to almost 3 percent

1 more than other Environmental Justice
2 communities, and it's more than 3 percent --
3 three times as many than communities as a whole,
4 so we've really focused on one of the tools we
5 have, our traditional tool, which is to make
6 sure that we inspect and keep the facilities
7 that are out here in compliance.

8 Under the Clean Air Act, the state,
9 the city and county, and EPA, and I have to
10 include all of them, because this is not what
11 only EPA does, it is a joint effort of all the
12 government agencies to do inspections, and we've
13 inspected 99 percent of the facilities that have
14 permits under the Clean Air Act, to make sure
15 that they are in compliance, so, as a baseline
16 level, they're not putting out more contaminants
17 than they're supposed to, and then you have to
18 do more.

19 We worked with Conoco in a penalty
20 action to divert some penalty money that would
21 have gone into either the state or the federal
22 treasury to go into what we call supplemental
23 environmental projects, and of those SEPs, as we
24 call them, \$517,000 of them went back into the
25 community, to community groups doing projects in

1 the community.

2 The remaining amount ended up going
3 into the facility to upgrade it, the Conoco
4 Phillips refinery here, to upgrade it, and to
5 reduce the pollution that it puts out in the air
6 that impacts this community.

7 We have some new projects, and this
8 is the stuff where I really get excited, but I'm
9 not going to go off into a lot of detail on it,
10 because I could take the whole meeting on it,
11 and that's not why we're here.

12 We have what I term Healthy Air for
13 Northeast Denver, the HAND project, where we're
14 trying to do an air toxic reduction program.
15 The purpose of this program is to work with
16 community, government, and educational
17 institutions to start to make incremental,
18 step-by-step reductions in the toxics in the
19 air, to reduce each person's personal exposure
20 to air toxics, and we're just getting it off the
21 ground, and you're going to hear a whole bunch
22 more about that in the coming weeks and months.

23 Another project we're doing is
24 Project Xeriscape, or I like to call it
25 Project X. We're working in conjunction with

1 the Superfund clean-up. We see that as a great
2 opportunity, since you're going to be taking out
3 a lot of yards and putting in clean fill, to try
4 to reduce the overall water usage in the
5 neighborhood, and we're trying to educate people
6 about the benefits of xeriscaping, so we're
7 going to be gearing up very quickly on that, and
8 trying to implement this program, which will
9 supplement the Superfund clean-up.

10 Lastly, just a point on Superfund
11 and some of the things that EJ has done in
12 conjunction with Superfund. In 1999, there was
13 a job training program that was a model, a pilot
14 project, that was bought out to this community
15 to try to educate and train people to work in
16 environmental industries, giving basically the
17 40-hour hazardous waste training.

18 We've applied again for money this
19 year, and we are -- we're hopeful that we'll get
20 it. We've put the application in, and argued --
21 made good arguments why we need more job
22 training in environmental fields. We've kind of
23 expanded it to include environmental issues like
24 lead paint removal and such, and we're really
25 hopeful we can get money for that, in addition

1 to the working group.

2 Superfund doesn't normally go about
3 its public involvement like we did at this site.
4 The working group is actually an unusual thing
5 at Superfund. I personally believe it's
6 something that should be done a lot more, but in
7 this case, it was several years ago when they
8 instituted the working group, which brought
9 citizens in to work with the government
10 officials throughout the Superfund process to
11 increase the quality and the quantity of input,
12 and also input at earlier stages of the process,
13 not just right here at this meeting, which is
14 what the law requires, so they've gone beyond
15 that because it's an Environmental Justice
16 community.

17 Two other quick points, and then I
18 will quit. The community health plan. Part of
19 the proposed plan is a community health plan,
20 and part of the purpose of that is to try to
21 find a way to get to -- to find out about some
22 of those other sources of contamination and
23 exposure to the individuals here other than the
24 soils, so through the community health plan, we
25 hope to find out about kids who are maybe

1 getting lead poisoning from the paint in your
2 house, as well, and then we'll work with other
3 government agencies and community groups to try
4 to find ways to deal with those problems, so the
5 idea with that is to be broader than just the
6 soil problem, and do a bit more.

7 And, lastly, the clean-up level is,
8 to some extent -- the clean-up levels being
9 proposed here, EPA's preferred alternatives
10 today, are to some extent a response to the fact
11 that this is an Environmental Justice community.
12 EPA believed that its previous numbers and
13 levels were safe, but the community spoke out,
14 and the community doesn't believe this, and this
15 is an Environmental Justice community, and there
16 are a lot of other risks and a lot of other
17 factors going into this, so EPA took a good look
18 at that, and they are lowering -- they are
19 proposing to lower the numbers, and I think that
20 is in great part due to the fact that this is an
21 Environmental Justice community, but I shouldn't
22 be talking about that, because I'm not the
23 expert on Superfund clean-up. Victor is.

24 So let me introduce Victor, and let
25 him talk to you a bit about the proposed plan

1 and the preferred alternative. That's it.

2 Go for it, Victor. Victor

3 Ketellapper.

4 MR. KETELLAPPER: Welcome, everyone,
5 tonight. It's great to see so many people here
6 tonight.

7 I'm one of the new faces, actually.
8 I've been involved with this project only about
9 six months, so there's probably a lot I can
10 learn from you, as well, tonight.

11 In my presentation tonight, I will
12 discuss why EPA's proposing a clean-up at this
13 site, the alternatives being considered for
14 clean-up, the EPA's preferred clean-up
15 alternative, and, finally, when clean-up is
16 planned to begin.

17 First, a little bit of a background.
18 EPA first became involved in this site due to
19 potential impacts of smelter emissions related
20 to lead and arsenic levels in residential soils.
21 These studies focused on two smelters which had
22 historically operated in this area, the Argo
23 smelter, located northwest of the intersection
24 of I-25 and I-70, and the Omaha & Grant smelter,
25 which was located near the Denver Coliseum.

1 These historic smelters have been demolished, so
2 there's no physical evidence of them being here,
3 just historical evidence.

4 The EPA believes the soil in
5 residential neighborhoods may pose a risk to
6 human health, and the actions being proposed
7 today are associated with the risks that result
8 from long-term exposure to residential soils.
9 Yards that pose a risk to short-term exposure
10 have been addressed for emergency actions.

11 I wanted to give a brief description
12 of the location of the site. I have a -- okay.
13 I have a map here of the VB/I-70 site. Across
14 the middle here is I-70. Interstate 25 is right
15 here. Denver Coliseum, where the Grant & Omaha
16 smelter sits right here, and the Argo smelter
17 was in this location over here near the
18 intersection of I-25 and I-70.

19 What we're talking about is Operable
20 Unit 1, which includes the residential soils
21 associated with this site, and those include the
22 Cole neighborhood, the Clayton neighborhood, and
23 portions of the Swansea and Elyria
24 neighborhoods, and a portion of Globeville, as
25 well.

1 This other part of Globeville was
2 addressed under a different Superfund -- or a
3 different action led by the State of Colorado
4 called the Globeville site.

5 The EPA's studies have identified
6 two contaminants of concern found in elevated
7 levels in residential soils at this site, lead
8 and arsenic. There is a potential for human
9 health impacts resulting from exposure to lead
10 and arsenic found at some of these properties.
11 Although people may be exposed to lead and
12 arsenic from a number of different sources,
13 again, the Superfund program is only able to
14 address the elevated levels of lead and arsenic
15 found in soils at this site.

16 A short summary of the human health
17 concerns associated with these metals are
18 excess exposure to lead can cause behavioral
19 problems in young children, zero to 6 years of
20 age, and also can affect their ability to learn.

21 Excess exposure to short-term and
22 high concentrations of arsenic can cause
23 gastrointestinal problems such as nausea and
24 vomiting, as well as anemia, kidney and liver
25 damage, and impaired nerve function.

1 Also, long-term exposure to excess
2 arsenic levels could possibly cause skin,
3 bladder, and lung cancers, so we have some
4 serious issues we're dealing with here tonight.

5 Last year, EPA issued a proposed
6 plan to clean up this site. At that time, EPA
7 received extensive public comment disagreeing
8 with the proposed clean-up alternative. The
9 public asked for lower clean-up levels.

10 Based on these comments, EPA revised
11 the proposed plan by adding a new alternative to
12 be considered for the clean-up. Since this new
13 alternative was significantly different from the
14 alternative proposed last year, we felt it was
15 necessary to present the revised proposal to the
16 public and request public comment.

17 I will be discussing this revised
18 proposal today, as well as the proposals we
19 discussed last year.

20 First, I wanted to discuss the
21 clean-up alternatives being considered, and
22 these clean-up alternatives make up -- or, I
23 should say, these clean-up technologies make up
24 the different alternatives that are being
25 proposed tonight.

1 First, I want to talk about yard
2 soil removal. In this case, we would do a yard
3 removal when the soil testing those yards are
4 exceeding the action levels of the clean-up that
5 is finally decided on tonight, or in a few
6 weeks, months.

7 In a yard soil clean-up, we would
8 initially discuss the clean-up with the
9 landowner or the property owner, develop a plan
10 on what we -- on what we were going to do, and
11 typically remove 12 inches of soil. We'll
12 remove less soil around trees to preserve them,
13 particularly large trees, and then come back and
14 replace the soil with clean fill, and then, to
15 the best of ability that we can, restore the
16 yard to pre-clean-up conditions.

17 The second technology that we're
18 looking at at this -- for this site is what we
19 call soil tilling. In this case, we would take
20 the yards that were contaminated with lead and
21 till the soil, mix the soil, and the reason we
22 feel this might work is because the
23 contamination is found primarily in the top
24 2 inches of soil, and we'd be mixing that more
25 contaminated soil with less contaminated soil to

1 reach a level that's acceptable.

2 In addition, we would add a
3 phosphate material, which would bind the lead to
4 the soil and make it less available if it was --
5 to the human.

6 And the last thing on technology
7 that we considered for the site was what we
8 called a community health program, and the
9 community health program is something that's
10 somewhat unique to this project, and what it
11 would focus in on is identifying children that
12 were exposed to lead and arsenic in the
13 neighborhood that -- and what that source of
14 lead and arsenic exposure was coming from, and
15 try to identify where -- what other programs can
16 help address those other issues, if it's not the
17 soil that's causing the problem, so we would
18 raise -- the portions of this community health
19 program would be education, which would raise
20 the community awareness and provide information
21 on ways to reduce the exposure, we'd provide
22 testing, and this is the best way we can find
23 out if a child has been exposed to lead or
24 arsenic, and then there would be follow-up
25 investigation of the clean-up, if you identify

1 children that have high lead or arsenic in their
2 system, and EPA -- Superfund cannot address the
3 indoor -- if it's an indoor paint problem that's
4 causing the lead exposure, but we can refer them
5 to other agencies that can provide those
6 services.

7 From these technologies, we
8 developed a number of alternatives, and in this
9 case, we developed six alternatives. I have a
10 poster over here -- hopefully, I can get that
11 far -- that summarizes these alternatives.

12 The first three columns are the
13 clean-up technologies, and the stars indicate
14 that -- which alternatives include which clean-
15 up technologies.

16 Then we talk about the next two
17 columns, associated with the clean-up levels in
18 parts per million, which is, for instance, parts
19 of lead per million, parts of soil, in this
20 case, and then the second column is arsenic.

21 Then a summary of the number of
22 properties that would require clean-up under an
23 alternative and the cost.

24 Alternatives 1 and 5 kind of
25 summarize the range of clean-up that could be

1 possible at this site.

2 Alternative 1, which we call the no-
3 action alternative, because we're not doing
4 anything, and the reason we include that in our
5 analysis is because, first of all, we need a
6 baseline to say, if there's nothing done, is the
7 community protected, and also provides us
8 basically the no-cost alternative, the lower
9 bound of what could be done.

10 The Alternative No. 5 was kind of a
11 worst-case scenario of exposure, and what we --
12 for instance, what it addresses, what we call
13 soil pica behavior in children, and what that is
14 is children that eat excessive amounts of soil,
15 and I guess there's a certain small percentage
16 of the population that can address that
17 problem -- or have that problem, and this
18 alternative would address that issue.

19 However, we feel that if children
20 are eating soil, they're also being exposed to a
21 number of different problems associated with
22 soil, whether it has lead and arsenic in it, so
23 our thinking is a community health program would
24 address those problems better than a soil
25 clean-up.

1 Alternative 2 is the only
2 alternative that considered tilling, and
3 Alternative 3 is very -- is comparable to that
4 alternative as far as clean-up levels are
5 concerned. As you can see, the cost wasn't
6 significantly different, and we felt that
7 removal of the soil was probably a better option
8 than tilling the soil.

9 Alternatives 3, 4, and 6 are very
10 similar. Both of them rely on removal and
11 replacement of the soil and the community health
12 program. The main difference, again, is the
13 clean-up levels for lead and arsenic between the
14 different alternatives.

15 Alternative 4 was our preferred
16 alternative last year, and we've revised that
17 basically to No. 6, which is based on the public
18 comment received that the community and public
19 asked for a clean-up level of lead of 400 and an
20 arsenic clean-up level of 70.

21 This is currently today our
22 preferred alternative, and what we're
23 recommending be implemented at this site. It
24 will require 853 properties estimated to be
25 cleaned up and a cost of \$31.8 million.

1 I just wanted to go over the
2 particular components of the preferred
3 alternative, so you understood that clearly.

4 Under this alternative, soil removal
5 at all residential yards which have lead greater
6 than 400 parts per million and/or arsenic
7 greater than 70 parts per million, meaning you
8 can have a property that's got a lead problem,
9 we'll clean it up, you can have a property that
10 has only an arsenic problem, and we'll clean it
11 up, and there are some properties that have
12 both, and in that case, we'd clean it up, as
13 well.

14 Yards will be returned as close as
15 possible to the condition it was returned to
16 soil removal. That means, if you had sod, we'll
17 replace that sod. If there's an area that's
18 planted with bushes, we'll replace those bushes,
19 as well.

20 One exception to this is that we
21 have found in our past testing that vegetable
22 gardens tend to have lower concentrations of
23 metals, and as well as some planted areas, and
24 we provide the homeowner with the option that we
25 would test those areas for soil concentrations

1 of lead and arsenic; if those concentrations are
2 found to be below our action levels, we would
3 provide the option to the homeowner to not clean
4 up those areas and preserve those areas, which
5 often they've put a lot of effort and time into
6 making them what they are today.

7 The excavated soils will be disposed
8 of at an appropriate facility, such as a
9 municipal landfill. We're also considering
10 possible placement of these soils at the ASARCO
11 Globe plant.

12 And, finally, a community health
13 program would be implemented during the
14 construction phase of the project.

15 Now, I'm going to go over -- quickly
16 go over the project schedule. Clean-up of the
17 yards with lead concentrations that we have
18 identified at this point with greater than 2 --
19 540 parts per million and arsenic concentrations
20 greater than 240 parts per million will begin
21 this summer, and we have identified
22 approximately 141 homes already.

23 We've tested 3,000 residential yards
24 in the VB/I-70 project boundaries. We estimate
25 approximately a thousand yards have not been

1 tested.

2 Testing of yards is on an ongoing
3 basis, and a voluntary basis right now. There
4 is a sign-up sheet up front. If you haven't had
5 your yard tested, or if you don't know, please
6 sign up on the sheet, as well, and we'll be able
7 to call you back and tell you if your yard had
8 been tested, and if it had been tested, what
9 your concentrations are.

10 Beginning next summer, after a final
11 decision's made on this project, clean-up will
12 begin on a block-by-block basis, and it's a more
13 cost-effective way to implement the clean-up,
14 and at that same time, we'll identify yards that
15 have not been tested, and contact the property
16 owners to ask them if they would like their soil
17 to be tested.

18 MS. KELLEN: Thank you, Victor.

19 MS. GRANADO: I have a question for
20 Victor, please.

21 I'm not sure I heard you correctly,
22 Victor. You said you will start cleaning up
23 this summer at 540 and 240 -- at 540 and 240,
24 but your preferred option is 400/70?

25 MR. KETELLAPPER: Yes. We are going

1 to clean up these yards. Because of the higher
2 concentrations, we're able to under -- to clean
3 them up under some different EPA authorities.

4 MS. GRANADO: But your action levels
5 will be 400/70?

6 MR. KETALLAPPER: That will be for
7 the final clean-up.

8 MS. GRANADO: Thank you.

9 MS. KELLEN: Thank you. We're going
10 to take a ten-minute break so that you folks can
11 get some refreshments and, if you have
12 additional questions of anyone, you can grab
13 them.

14 We'll start up again -- let's start
15 again at 5:30, and that will give us a full hour
16 to take comments, and then go from there. Thank
17 you.

18 (A break was taken.)

19 MS. KELLEN: Hi. I'd like to get
20 started again. So I have a very short sign-up
21 list, I think about five or six names. I have
22 two individuals who have indicated they have to
23 leave early, so I hope you -- I beg your
24 forgiveness, and I'm going to go ahead and call
25 them first, so we get their comments and they

1 can go off to their other meetings that they
2 have to attend.

3 So this is the opening of the
4 official public comment period for the VB/I-70
5 proposed plan. These comments will be made part
6 of the record, will go in the official record
7 for EPA, and it will be responded to in the
8 record of decision.

9 So our first commenter tonight will
10 be Lorraine Granado.

11 MS. GRANADO: Thank you. My name is
12 Lorraine Granado, L-o-r-r-a-i-n-e, last name
13 G-r-a-n-a-d-o. I live in the Swansea
14 neighborhood, and have four generations of my
15 family living here.

16 I'm a member of CEASE. There are
17 about six of us that have worked on this project
18 since the very first day, for four and a half
19 years, and I have several comments.

20 The first comment is not positive.
21 The first comment is looking at the Argo and the
22 Omaha & Grant smelter, and no mention whatsoever
23 of the ASARCO smelter.

24 For those of you who don't know, how
25 we got here was that, when we did the organizing

1 from 1987 'til 1992 on the ASARCO Globe site in
2 Globeville, it was very clear that ASARCO was
3 responsible for the contamination of Globeville
4 with lead, arsenic, cadmium, and zinc.

5 When the record of decision -- when
6 the Colorado Department of Health ended the
7 whole investigation of Globeville, they had a
8 record of decision, as my friend here --

9 MS. KELLEN: Karen.

10 MS. GRANADO: -- Karen spoke to --

11 MS. KELLEN: You remember me.

12 MS. GRANADO: -- will get the same
13 thing here. What that record of decision
14 demanded was that testing continue outward from
15 Globeville until they found the end of the
16 contamination.

17 They have not yet found the end of
18 the contamination. That's how Elyria, Swansea,
19 Cole, Clayton, and now Five Points got to be
20 tested for the contamination.

21 I am very, very disturbed that
22 ASARCO was not mentioned when Victor spoke to
23 where the potential source for this
24 contamination was. He said Argo, which no
25 longer exists, Omaha & Grant, which no longer

1 exists.

2 For the record, I would like the EPA
3 to respond to the following question. Why is
4 ASARCO not mentioned? Is ASARCO still being
5 considered a potentially responsible party?

6 We do know that they are being
7 investigated, that they are a second operable
8 unit. We have had little or no information
9 related to the investigation of ASARCO as a
10 potentially responsible party, and tonight they
11 seem to have disappeared.

12 We would like to know all of that,
13 why did we not hear about them, what is being
14 done, what is the state -- status of the
15 investigation for Operable 2 -- Unit 2, and has
16 ASARCO disappeared as a potentially responsible
17 party.

18 No. 2, we are gratified to see that
19 the EPA did, in fact, determine that the
20 preferred option for clean-up is 400 parts per
21 million lead and 70 parts per million arsenic.

22 We fought very, very hard,
23 peacefully, but hard, to get those levels of
24 clean-up. Because those were the levels of
25 clean-up that happened at Globeville, we felt we

1 deserved at least what Globeville received. So
2 we thank the EPA for hearing us, and we thank
3 the EPA for changing their preferred option to
4 that that we had requested.

5 The next issue is the issue of a
6 community health program. The community health
7 program has not yet been developed. As we
8 commented in the initial feasibility study, the
9 funds that were allocated for the community
10 health program were totally insufficient.
11 The notion is that the community health program
12 will provide health education, teaching people
13 how to protect themselves. It would provide
14 door-to-door outreach. It would provide case
15 management in those homes for children that were
16 found to be lead-poisoned, and several other
17 types of community health education.

18 In the initial feasibility study,
19 there was only enough money allocated for one
20 three-fourths-time person to address 4,000
21 homes. That was insufficient. And so we have
22 requested and the EPA has said that you will
23 allow community people to participate fully in
24 the development of the community health
25 education program.

1 Those of us involved in CEASE intend
2 fully to do that, and we'd like to welcome any
3 other person in this community who would like to
4 be a part of planning the community health
5 program.

6 The questions that are left, the big
7 one has to do with external lead-based paint.
8 During all of these years, one of the huge
9 discussions and one of the positions that the
10 former manager of E -- of this site stated,
11 because Victor's new. There was another manager
12 here until very recently -- that external
13 lead-based paint, and I quote, was a significant
14 contributor to the lead in the soil.

15 However, there was no mention
16 tonight about the EPA removing external
17 lead-based paint. It was our understanding,
18 given the work of Dr. Michael Kosnett, who we
19 hired to be our expert person to work with us,
20 that it is, in fact, within the realm of EPA's
21 authority to remove external lead-based paint.

22 What that means, folks, is that the
23 lead-based paint falls into the soil,
24 recontaminates the soil, and so it's never
25 really going to be clean until the lead-based

1 paint is removed.

2 So, again, on behalf of the
3 community, we would request that the EPA, one,
4 remove lead-based paint, external, two, that if
5 they do not remove lead-based -- external
6 lead-based paint, that they provide us with a
7 rationale for not removing the lead-based paint,
8 because, as we all agree, if it's not removed,
9 it will continue to contaminate.

10 Again, I want to say thank you
11 on behalf of all of us for doing these levels
12 at -- for cleaning, for achieving the action
13 levels that we really, really struggled to get
14 you all to consider.

15 We feel that it is a real bonus
16 to our community that, instead of cleaning only
17 400 yards, that you will now be cleaning
18 853 yards, making 453 families safe from
19 exposure to lead and arsenic contamination.

20 The other thing is that -- as
21 relates back to the community health program, is
22 that, for folks who don't know, we were also
23 involved in helping to develop the Healthy
24 Kids -- Kids at Play program. Every child under
25 the age of 6 in these communities, their door

1 was knocked on, the kids were given tests for --
2 blood tests for lead and urine tests for
3 arsenic, and the EPA has agreed and we expect
4 follow-through to go back to those homes and see
5 what the sources of -- were for the lead for the
6 kids that were lead-poisoned, and then to
7 address that, whether it's external or internal.

8 As Victor stated, the EPA probably
9 won't remove internal lead-based paint, but we
10 would again request that you take every measure
11 possible to see that there are programs or
12 organizations who will, in fact, work with those
13 families where the internal lead-based paint is
14 poisoning the children, and we look forward to
15 the next phase. Thank you very much.

16 MS. KELLEN: Thank you, Lorraine.

17 Our next person up is Anthony
18 Thomas.

19 MR. THOMAS: My name is Anthony
20 Thomas, A-n-t-h-o-n-y T-h-o-m-a-s. I am a
21 resident of the Clayton neighborhood and a
22 member of CEASE.

23 We at CEASE have been working with
24 the EPA now for going on five years to get a
25 decent removal for all of us, and I would like

1 to thank each and every one of you who made the
2 effort to write a comment letter or to speak
3 last year at this time, letting the EPA know how
4 unfair the alternative that they was offering us
5 was, and which brought us here this day to a --
6 what I would consider a decent removal level.
7 Thank you.

8 MS. KELLEN: Thank you, Anthony.

9 Okay. I'm about to butcher a name.
10 David Aguado?

11 MR. AGUADO: Aguado.

12 MS. KELLEN: Aguado? Okay. I
13 butchered it. David, are you here?

14 MR. AGUADO: Yeah, that was me.

15 MS. KELLEN: Could you approach the
16 microphone. And if you need translation
17 services, anyone, we can get someone to help
18 out.

19 MR. AGUADO: Okay. Well, my name is
20 David Aguado. I live on 4929 Steele Street.

21 MS. KELLEN: And could you spell
22 your name, please.

23 MR. AGUADO: A-g-u-a-d-o. And I --
24 I've been in -- living here for 20 years in
25 Swansea. I bought my house 15 years ago. And

1 about a year and a half ago, I had an accident,
2 and when they were doing checkup on me, they
3 found out that I had cancer, and they removed
4 one of my kidneys, and my concern is the -- I'm
5 wondering if -- I'm worried my kids will get
6 cancer, too. I got the cancer from there.
7 I'm -- you know I'd like to have my -- my
8 arsenic was -- the level was 173, and I'm
9 worried. I'd like to -- for my protection of my
10 kids. And that's it. Thank you.

11 MS. KELLEN: Thank you very much.

12 Jim Weaver?

13 MR. WEAVER: My name is Jim Weaver,
14 J-i-m W-e-a-v-e-r.

15 MS. KELLEN: Jim, could you move the
16 microphone closer. I think people are going to
17 have trouble hearing you.

18 It's probably a lot harder than it
19 seems.

20 MR. WEAVER: Well --

21 MS. KELLEN: Okay. How about you
22 sit down and talk? You're pretty tall.

23 MR. WEAVER: The cord's out.

24 (A pause occurred in the
25 proceedings.)

1 MR. WEAVER: Yeah, this will work.

2 Did you get my name?

3 THE REPORTER: Yes.

4 MR. WEAVER: I'm a resident of the
5 Cole neighborhood and a member of CEASE.

6 I also came tonight to say thank you
7 to EPA to listening to community input and
8 community concerns at the levels, and for
9 responding with lowering the levels.

10 I also appreciate that the clean-up
11 is going to start soon. We've spent a lot of
12 time in our community meetings, you know,
13 addressing, you know, the contaminated soil and
14 the -- the EPA meetings, other environmental
15 meetings, and so one comment I would have is, as
16 we move forward with clean-up, if the clean-up
17 could happen as a unit, and altogether, I think
18 it would benefit, you know, all our
19 neighborhoods, in terms of being able to focus
20 on other issues and move forward as a community
21 versus some houses will be cleaned up, other
22 houses might be two or three years. That will
23 cause a lot more meetings, a lot more neighbor
24 involvement that we need further issues.

25 I also wanted to encourage remedying

1 other sources of paint that might
2 recontaminate -- or other sources of
3 contamination that might affect this new soil
4 that we put in, so that the EPA would take a
5 serious look at this being a long-lasting
6 solution to the health of our neighborhoods, and
7 look at remedies that have happened in other
8 clean-up sites that -- such as the external
9 lead-based paint. If that needs to be removed,
10 let's do it before we put clean soil back in.
11 That's it. Thanks.

12 MS. KELLEN: Thank you very much.
13 We're already at our last speaker
14 already, so if anyone is interested in talking,
15 there's going to be plenty of time, and we can
16 always get you up here.

17 The last speaker I'm about to -- I'm
18 having a little trouble reading the last name.
19 Luis, I'm thinking it might be Valdez. Anyone
20 like that? Luis, I believe, Valdez.

21 Might have lost him.

22 Is anyone else interested in making
23 a comment? We can -- come on up to the
24 microphone. Just state your name and spell it
25 for the reporter.

1 MS. ADAMS: My name is Joyce,
2 J-o-y-c-e, Adams, A-d-a-m-s, and I was actually
3 born in the neighborhood, at 4720 Gilpin Street,
4 Swansea. I have cancer of my lung, stomach, and
5 possibly some brain.

6 I have a daughter that has moved
7 away that has some kind of a neurological
8 problem. She also grew up and was born in
9 this -- raised in this neighborhood. My mother
10 had cancer. My son has a problem of bipolar.
11 And probably my mother and aunt, a couple of
12 aunts, died with cancer.

13 So I do know that there is a serious
14 problem with -- I remember as a kid growing up,
15 when they tore down that thing over by the -- or
16 blew it up over by the Coliseum, and the ASARCO
17 plant, and, you know, ever since I was a kid, so
18 I do seriously know that there's a problem.

19 I am glad that you're bringing the
20 level down. I think it could even be lower, to
21 be honest with you, but I guess we're lucky to
22 at least get that. I just wished it was going
23 to happen a little sooner, instead of another
24 year.

25 I actually went through a HAZMAT

1 program myself through here, through the
2 recreation -- Community Cross Center, and my son
3 actually worked on doing some blood draws off
4 the kids with the pica problem, so I am pretty
5 familiar with what's going on, and I'm just very
6 happy to see all you people, and don't give up.
7 The neighborhood's still there. I'm still
8 alive, for a while, anyway. And thank you.

9 MS. KELLEN: Thank you very much.
10 Anyone else? Going once. If I don't get any
11 more speakers, I'm going to close down the
12 meeting, so I want to make sure that anyone
13 who's a little shy and wants to stand up has an
14 opportunity.

15 THE TRANSLATOR: She was curious,
16 because her daughter is a year and a half, and
17 she has kidney problems, and she wants to know
18 if that has anything to do with those
19 problems -- this problem.

20 MS. KELLEN: Could you state your
21 name, please, and spell it.

22 THE TRANSLATOR: Graciela Dominguez,
23 G-r-a-c-i-e-l-a D-o-m-i-n-g-u-e-z. Is that it?

24 MS. DOMINGUEZ: (Nodded head.)

25 MS. KELLEN: And in terms of your

1 question, I think what might be best, there's
2 some people here in the room, I think, maybe
3 Wendy or Victor in the back behind you, can talk
4 to you after we break up, and give you some
5 answers on -- some ideas on that, so if the two
6 of you could approach them when we're done,
7 we'll see what we can do for you, okay?

8 Is there anything else you'd like to
9 say?

10 THE TRANSLATOR: That's everything.
11 Thank you.

12 MS. KELLEN: Muchas gracias.

13 Anyone else? There's still lots of
14 time.

15 I'm going to do this like an
16 auction. Going once. Going twice.

17 Thank you all very much for coming
18 out tonight, and I appreciate your comments and
19 the time that you've taken to meet with us, and
20 I hope you all have a pleasant evening. Good
21 night.

22 WHEREUPON, the above proceedings
23 were concluded at the approximate hour of
24 5:52 p.m. on June 19, 2003.

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C E R T I F I C A T I O N

I, Diane K. Scholl, Registered
Professional Reporter, certify that on June 19,
2003, the above proceedings were had; then
reduced to typewritten form, by means of
computer-aided transcription.

I further certify that I am not
related to any party herein or their counsel and
have no interest in the result of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand on June 27, 2003.



Diane K. Scholl
Registered Professional Reporter

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Re: Vasquez Boulevard/Interstate-70
10 Public Meeting
Date of Public Meeting: June 19, 2003
11
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